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15 and Travelers Casualty and Surety Company
16 of America*

17 **UNITED STATES DISTRICT COURT**
18
DISTRICT OF NEVADA

19 UNITED STATES OF AMERICA, for the Use
20 and Benefit of GALLAGHER-KAISER
21 Corp.,

22 Plaintiff,

23 vs.

24 ARCHER WESTERN CONTRACTORS,
25 LTD. a/k/a ARCHER WESTERN
CONTRACTORS, LLC; TRAVELERS
CASUALTY AND SURETY COMPANY OF
AMERICA,

26 Defendants.

27 CASE NO. 2:15-CV-02150—RFB-PAL

28 **STIPULATION AND ORDER LIMITING
DISCOVERY UNTIL APRIL 30, 2016**

29 ARCHER WESTERN CONTRACTORS, LTD.
30 a/k/a ARCHER WESTERN CONTRACTORS,
31 LLC,

32 Counterclaim-claimants

33 vs.

UNITED STATES OF AMERICA, for the Use
and Benefit of GALLAGHER-KAISER CORP.,

and

ARCH INSURANCE COMPANY, d/b/a ARCH
INSURANCE GROUP, INC.,

Counterclaim-defendants.

On December 4, 2015, Defendants, Archer Western Contractors, LLC, formerly Archer Western Contractors, Ltd. (“Archer Western”), and Travelers Casualty and Surety Company of America (“Travelers”) (collectively, “Defendants”), by counsel, filed a Motion to Stay this Matter and subsequent to briefs in opposition and in reply, a hearing was held by the Court on January 19, 2016, at 2:00 P.M. At the hearing, the Parties hereto reached an agreement on the matters presented in the Motion to Stay and, the Parties HEREBY STIPULATE AND AGREE as follows:

1. Until April 30, 2016, the Parties shall limit their activities in this matter to discovery pursuant to Rules 33, 34 and 36 on matters germane to whether specific claims or portions of claims asserted in this litigation by the Plaintiff are claims which are or may be governed by Section 11.3 of the subcontract agreement executed on or about April 27, 2011.

2. By participating in the limited discovery as set forth in Paragraph (1), neither party shall be deemed to have waived any rights, privileges, or defenses as to whether the claims or portions of claims subject to the limited discovery are governed by Section 11.3 of the subcontract agreement.

3. Except for the limited discovery set forth in Paragraph (1), Rule 26 shall govern all discovery with the requirements of paragraphs (a) and (f) being deferred until after April 30, 2016.

4. On or before 14 days prior to April 30, 2016, the Parties shall report to the Court on the status of their discovery and their efforts to reach a joint agreement on Plaintiff's claims that are not governed by Section 11.3 and thus are the proper subject of this litigation.

UNITED STATES OF AMERICA, for the Use and Benefit of
GALLAGHER-KAISER Corp., vs. ARCHER WESTERN CONTRACTORS,
LTD. a/k/a ARCHER WESTERN CONTRACTORS, LLC
U.S. District of Nevada Court Case No. 2:15-CV-02150—RFB-PAL
STIPULATION AND ORDER LIMITING
DISCOVERY UNTIL APRIL 30, 2016

DATED this 26th day of January, 2016.

PEEL BRIMLEY LLP

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UNITED STATES OF AMERICA, for the Use and Benefit of
GALLAGHER-KAISER Corp., vs. ARCHER WESTERN CONTRACTORS,
LTD. a/k/a ARCHER WESTERN CONTRACTORS, LLC
U.S. District of Nevada Court Case No. 2:15-CV-02150—RFB-PAL
STIPULATION AND ORDER LIMITING
DISCOVERY UNTIL APRIL 30, 2016

ORDER

IT IS HEREBY ORDERED.

Terry A. Tees
United States District Court Magistrate Judge
Dated: January 27, 2016